

COPY OF PAPERS  
ORIGINALLY FILED

PATENT  
Customer No. 22,852  
Attorney Docket No. 5884.0020-03

See

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

O / P E  
JAN 18 2002  
PATENT & TRADEMARK OFFICE  
TO  
In re Application of: )  
Frampton E. ELLIS, III )  
Application No.: 09/993,665 ) Group Art Unit: 3728  
Filed: November 27, 2001 ) Examiner: Unknown  
For: SHOE SOLE STRUCTURES )  
)

Attn: **BOX MISSING PARTS**  
Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

**RESPONSE TO NOTICE TO FILE  
MISSING PARTS OF NONPROVISIONAL APPLICATION**

In response to the Notice to File Missing Parts of Nonprovisional Application dated December 13, 2001, Applicant submits herewith (1) a copy of the Declaration and Power of Attorney from parent application, U.S. Application No. 08/452,490, to which this application claims the benefit of priority; (2) the required surcharge fee of \$130.00; (3) filing fee of \$740.00; (4) extra claims fee of \$84.00; and (5) a copy of the Notice to File Missing Parts of Nonprovisional Application.

Please associate the enclosed Declaration and Power of Attorney with the above-referenced application.

FINNEGAN  
HENDERSON  
FARABOW  
GARRETT &  
DUNNER LLP

1300 I Street, NW  
Washington, DC 20005  
202.408.4000  
Fax 202.408.4400  
[www.finnegan.com](http://www.finnegan.com)

Application No. 05/993,665

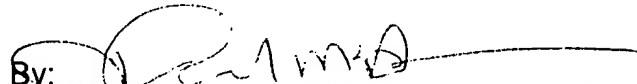
Please grant any extensions of time required to enter this response, and charge any additional required fees to our deposit account no. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: January 18, 2002

By:

  
Roland G. McAndrews, Jr.  
Reg. No. 41,450

268405\_1

FINNEGAN  
HENDERSON  
FARABOW  
GARRETT &  
DUNNER LLP

1300 I Street, NW  
Washington, DC 20005  
202.408.4000  
Fax 202.408.4400  
[www.finnegan.com](http://www.finnegan.com)

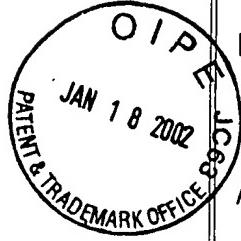
Sec Jr \$

PATENT

Customer No. 22,852

Attorney Docket No. 5884.0020-03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re Application of:

Frampton E. ELLIS, III

) Group Art Unit: 3728

Application No.: 09/993,665

) Examiner: Unknown

Filed: November 27, 2001

For: SHOE SOLE STRUCTURES

Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

TRANSMITTAL LETTER

Enclosed please find the following:

1. Response to Notice to File Missing Parts of Nonprovisional Application (2 pages) with a copy of the Notice (1 page) and Declaration from parent application (2 pages);
2. Check in the amount of \$954.00 to cover the \$130.00 surcharge fee, filing fee of \$740.00, and extra claims fee of \$84.00.

The extra claims fee is calculated as follows:

Basic Application Filing Fee					\$740	\$ 740.00
	Number of Claims		Basic	Extra Claims		
Total Claims	20	-	20	0	x \$18	0.00
Independent Claims	4	-	3	1	x \$84	\$ 84.00
<input type="checkbox"/> Presentation of Multiple Dep. Claim(s)					+\$280	
Subtotal						\$ 824.00
Reduction by 1/2 if small entity						-
TOTAL APPLICATION FILING FEE						\$ 824.00

FINNEGAN  
HENDERSON  
FARABOW  
GARRETT &  
DUNNER LLP

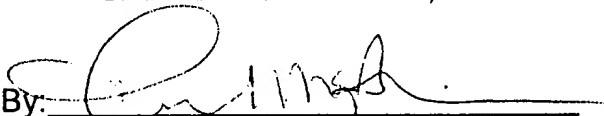
1300 I Street, NW  
Washington, DC 20005  
202.408.4000  
Fax 202.408.4400  
[www.finnegan.com](http://www.finnegan.com)

Please grant any extensions of time required and charge any additional required fees to our deposit account no. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: January 18, 2002

By:   
Roland G. McAndrews, Jr.  
Reg. No. 41,450

268418\_1

FINNEGAN  
HENDERSON  
FARABOW  
GARRETT &  
DUNNER LLP

1300 I Street, NW  
Washington, DC 20005  
202.408.4000  
Fax 202.408.4400  
[www.finnegan.com](http://www.finnegan.com)



**UNITED STATES PATENT AND TRADEMARK OFFICE**

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/993,665	11/27/2001	Frampton E. Ellis III	05884.0020-03000 (ELL004-

22852  
FINNEMAN, HENDERSON, FARABOW, GARRETT &  
DUNNER LLP  
1300 I STREET, NW  
WASHINGTON, DC 20005

COPY OF PAPERS  
ORIGINALLY FILED

**CONFIRMATION NO. 1491**

**FORMALITIES LETTER**



\*OC000000007190334\*

Date Mailed: 12/13/2001

**NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION**

Adjustment date: 02/28/2002 SSALEEKU  
01/28/2002 MAHMED1 00000049 500462 09993665      **FILED UNDER 37 CFR 1.53(b)**  
01 FC:103 162.00 CR

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.**

*A copy of this notice **MUST** be returned with the reply.*

  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

**PART 2 - COPY TO BE RETURNED WITH RESPONSE**

01/29/2002 MAHMED1 00000058 09993665

01 FC:105

130.00 DP

Refund Ref:

01/29/2002 MAHMED1 0000113751 

CHECK Refund Total: \$824.00